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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/815,855

03/23/2001

Miguel Dajer

10-5-4-7

5814

22046

7590

10/07/2004

LUCENT TECHNOLOGIES INC.

DOCKET ADMINISTRATOR

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HOLMDEL, NJ 07733

EXAMINER

FOX, JAMAL A

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/815,855	Applicant(s) DAJER ET AL.	
	Examiner Jamal A Fox	Art Unit 2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-43 is/are allowed.
- 6) ☒ Claim(s) 1 and 22 is/are rejected.
- 7) ☒ Claim(s) 2-21 and 23-31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 22 are rejected under 35 U.S.C. 103(a) as being obvious over Dajer et al. in view of Threadgill et al.

The applied reference has a common ~~assignee~~ with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). For applications filed on or after November 29, 1999, this rejection might also be overcome by showing that the subject matter of the

reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See MPEP § 706.02(I)(1) and § 706.02(I)(2).

Referring to claim 1, Dajer et al. discloses in phase transmit data bits and quadrature phase transmit data bits (col. 2 lines 25-43), but does not explicitly teach of transmitting transmit data over a first set of time slots and transmitting various uplink low rate static/control signals over a second set of time slots. However, Dajer et al. discloses a Transmit digital signal communications bus (col. 2 lines 15-18) that provides interconnection between the channel unit boards. Additionally, Threadgill et al. discloses transmitting data over a first set of time slots (outbound TDM channel time slots, col. 16 lines 10-13) and transmitting signals over a second set of time slots (inbound TDMA channel time slots, col. 16 lines 10-13). Furthermore, Threadgill et al. discloses messages that are control signals in (col. 16 lines 14-25). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the first and second set of time slots along with the low rate control signals of Threadgill et al. to the invention of Dajer et al. in order to provide the signal processing capability needed for the interconnection of the digital processing components as suggested by Dajer et al.

Referring to claim 22, Dajer et al. discloses in phase transmit data bits and quadrature phase transmit data bits (col. 2 lines 25-43), but does not explicitly teach of transmitting receive data over a first set of time slots and transmitting various downlink low rate static/control signals over a second set of time slots. However, Dajer et al.

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discloses a Transmit digital signal communications bus (col. 2 lines 15-18) that provides interconnection between the channel unit boards. Additionally, Threadgill et al. discloses transmitting data over a first set of time slots (outbound TDM channel time slots, col. 16 lines 10-13) and transmitting signals over a second set of time slots (inbound TDMA channel time slots, col. 16 lines 10-13). Furthermore, Threadgill et al. discloses messages that are control signals in (col. 16 lines 14-25). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the first and second set of time slots along with the low rate control signals of Threadgill et al. to the invention of Dajer et al. in order to provide the signal processing capability needed for the interconnection of the digital processing components as suggested by Dajer et al.

***Allowable Subject Matter***

3. Claims 32-43 are allowed.
4. Claims 2-21 and 23-31 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

**5. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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*Jamal A. Fox*  
Jamal A. Fox

A handwritten signature in black ink, appearing to be 'W. J. Fox' or similar, with a long horizontal stroke extending to the right.